

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application Number 10/052,558
Attorney Docket Number Q68146

REMARKS

Reconsideration and allowance of this application, as amended, are respectfully requested. New claims 19-28 have been added. Claims 1-28 are now pending in the application. The rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein.

Rejection Under 35 U.S.C. § 103(a) - Ramaswamy et al. in view of Gerdisch

Claims 1-18 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ramaswamy et al. (U.S. Patent Number 6,668,178 B1) (hereinafter “Ramaswamy”) in view of Gerdisch (U.S. Patent Number 6,480,727). The rejection is respectfully traversed.

Regarding claims 1, 7 and 13, Applicant’s claimed invention relates to monitoring and reporting in a wireless communication network, where wireless user terminals are energized with an external power source. The wireless user terminals also comprise an internal battery which is controlled to energize the terminal when external power fails. The external power source is monitored, and a message is sent “from [the] wireless communication circuitry to [the] network when [the] communication terminal is operating with [the] internal power source,” as claimed.

Turning to Ramaswamy, a wireless telephone system with a battery-backup is shown in Figure 1. A wireless handset (120₁) is provided with a rechargeable handset battery for powering the handset (120₁). The handset (120₁) communicates over an RF channel with a base unit (110). The base unit (110) includes an AC power supply (130) and a recharge cradle (118) within which a handset battery (119) may be charged. The base unit (110) uses the handset battery (119) as a

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backup power supply if AC power from the AC power supply (130) is disrupted (column 1, lines 49-62).

Examiner maintains that the combination of Ramaswamy and Gerdisch teaches each feature of the claimed invention. However, as admitted by the Examiner, Ramaswamy does not teach at least monitoring the external power source and sending a message from the wireless communication circuitry to the network when the communication terminal is operating with the internal power source. Additionally, Ramaswamy does not disclose an internal power source and an external power source in a wireless communication terminal, as claimed. The wireless handset (120₁) in Ramaswamy only has a rechargeable handset battery (123) for powering the handset and does not include an external power source (column 1, lines 49-52). The base station unit (110) of Ramaswamy is coupled to an AC power supply (130) and utilizes the docked handset battery (119) as a backup power supply (column 1, lines 57-61). However, Applicant's claimed invention recites “[a] wireless communication terminal comprising ... an internal power source and an external power source.” Ramaswamy's handset terminal (120₁) does not include both an internal power source and an external power source. Furthermore, Ramaswamy's base station unit (110) is a base station network node and can not be considered a wireless communication terminal in the telephone system (100), because the mobile handsets (120₁,...120_N) would clearly be considered to be such terminals.

Gerdisch does not remedy the deficiencies of Ramaswamy. Gerdisch teaches a method for extending battery life in a subscriber unit as shown in figures 2-4, periodically checking the state of a power failure flag which is set when line power is not available. The subscriber unit

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(110) monitors its own power failure flag to detect whether line power is present. Apart from normal communications, the only communications sent from the subscriber unit (110) to a system node (102) are requests for an initial registration of a default inactivity level and for an incremental inactivity level registration.

The subscriber unit (110) commences an initial registration with the system node (102) upon which a system default inactivity level is supplied to the subscriber unit (110) by the system node (102) (column 3, lines 21-27). The subscriber unit (110) stores the system default inactivity level and sets its current inactivity level to the system default inactivity level (column 3, lines 34-39). The current inactivity level is the inactivity level at which the subscriber unit (110) is currently operating. Gerdisch prefers that both the subscriber unit (110) and the system node (102) know which inactivity level the subscriber unit (110) is currently operating at, so that communications may reliably occur between them. For this reason, whenever the subscriber unit (110) desires to change its inactivity level, it performs an inactivity level registration (column 3, lines 40-48). The subscriber unit (110) sends a request to the system node (102) requesting permission to switch to a specified inactivity level. The system node (102) may respond to the request by accepting, denying, or alternatively assign another inactivity level to the subscriber unit (110).

The method of Gerdisch also includes controlling a subscriber unit (114) to issue an interrupt to check its own power failure flag and to detect presence of line power. If no line power is present, the subscriber unit (114) checks the inactivity level of a timer and correspondingly sets an inactivity level, as shown in figure 3. Alternatively, figure 4 shows the

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checking of a smart battery status instead of checking an inactivity level timer. The inactivity level is incremented when the smart battery status meets predetermined threshold levels shown in table 2. However, the subscriber unit (114) of Gerdisch only monitors inactivity time (or smart battery status), line power, and power failure flag, and does not send a message from wireless communication circuitry in the wireless communication terminal to the network when the communication terminal is operating with the internal power source, as required by Applicant's claims. Gerdisch's requests for initial registration of a default inactivity level and for an incremental inactivity level registration are only requests sent from the subscriber unit (114) to the system node (102), and are sent to set or adjust periods of power-downs (inactivity level) of a cellular transceiver (202) within the subscriber unit (200) corresponding to the subscriber unit (114) of figure 1. The requests to set or adjust the inactivity level of the subscriber unit (114) are sent in order to calibrate and increment inactivity power saving features. The requests are not messages sent when the subscriber unit (114) is operating with internal power source. At least by virtue of the aforementioned differences, the invention defined by Applicant's claims 1, 7 and 13 are patentable over Ramaswamy in view of Gerdisch. Applicant's claims 2-6, 8-12 and 14-18 are dependent claims including all of the limitations of independent claims 1, 7 and 13, respectively, which, as established above, distinguishes over Ramaswamy in view of Gerdisch. Therefore, claims 2-6, 8-12 and 14-18 are patentably distinguished over Ramaswamy in view of Gerdisch for at least the aforementioned reasons as well as for their additionally recited features. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) are respectfully requested.

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With further regard to claims 2, 8 and 14, the message is sent when no call is in progress and a second message is sent from the wireless communication circuitry to the network when the communication terminal is operating with the internal power source when a call is in progress. As discussed above, Gerdisch only operates to transmit to the system node, requests for initial registration of a default inactivity level and for an incremental inactivity level registration. These two requests necessarily have to be sent after a system interrupt is issued. Thus, a call can never be in progress at any time when these requests are sent from the subscriber unit (114) to the system node (102). At least by virtue of these additional differences as well as the aforementioned differences, Applicant's claimed invention distinguishes over Ramaswamy in view of Gerdisch.

Newly Added Claims

Claims 19-28 are newly added by this Amendment and are believed to be in condition for allowance.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,



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